

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Kenneth M. Pace Jr.
Certificates 232991 and 905110

ORDER OF PERMANENT REVOCATION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 8, 2023. On July 26, 2022, the South Carolina Department of Education (SCDE) sent notice via regular and certified mail, return receipt requested, to Kenneth M. Pace Jr., concerning the pending action against educator certificates 232991 and 905110. Mr. Pace thereafter timely requested a hearing, which was held on May 24, 2023. This matter is properly before the State Board pursuant to S.C. Code. Ann. §59-25-150 (2020) and referred to a hearing officer pursuant to S.C. Code. Ann. §59-5-70 (2020).

After considering the evidence, testimony, and the report and recommendations presented, the State Board voted to permanently revoke Mr. Pace's certificates 232991 and 905110, effective August 8, 2023.

FINDINGS OF FACT

Mr. Pace holds valid South Carolina educator certificates in industrial technology and administration. He has over fourteen years of educator experience and has no prior record of disciplinary action with the State Board. At the time of the incident, Mr. Pace was serving as an assistant administrator at Ridge View High School (School) for Richland County School District Two (District).

At the end of the 2018-19 school year, Mr. Pace was evaluated and placed on an improvement plan (IP) for the following school year. During the 2019-20 school year a new position opened at the School. Mr. Pace applied for the position but was not chosen. In an effort to learn who was chosen for a second round of interviews, Mr. Pace improperly accessed a coworker's calendar. In reviewing Mr. Pace's progress on the IP, the District also reviewed the inappropriate action of accessing a coworker's calendar to

gain information for personal reasons. Mr. Pace was placed on an IP for the following school year.

At the end of the 2020-21 school, Mr. Pace received his annual evaluation and was reminded he did not meet the stated goals of his IP. He was placed on an IP for the 2021-22 school year. Mr. Pace disagreed with the evaluation and his comments were added to the file. However, he also became concerned that failure to meet his goals could lead to termination. He then emailed the District's human resources department, copying his wife, and stated he was requesting a meeting to discuss the evaluation. He alleged that his "character and integrity are in question once again" and that he "simply have had enough."

Mr. Pace then began posting on Twitter and emailing District staff. Messages included "The Mother Emanuel 9 and Richland 2 = God's Chosen People." This post referenced a mass shooting in Charleston, SC, in which nine people were killed. An email was titled with the subject line "I NEED YOU MY FATHER...NOW PLEASE...IN THE NAME OF EMMAUS." The body of this message was the quote "No one can steal your thunder when are the STORM." Mr. Pace also left a voicemail for a coworker that stated he was "ready to walk in hand and hand with you to take you to the promised land." The communications were reported to law enforcement, who provided further information that concerned the District. Mr. Pace wrote an apology for the communications.

After this apology in August 2021, Mr. Pace again requested information from the human resources department and stated the District was being unprofessional and that his "patience is growing thin." He further insisted he needed a meeting with District staff to "shed LIGHT on this whole matter" and that he had an "iceberg of evidence" about his concerns. The communications caused concern among District staff, some of whom did seek and obtain restraining orders against Mr. Pace. In December 2021, Mr. Pace entered into a settlement agreement with the District to remain on leave until the end of the 2021-22 school year, when he resigned from the District.

The hearing officer found substantial evidence that Mr. Pace engaged in inappropriate social media posts and communication, some of which frightened coworkers. It was further found that Mr. Pace's alleged intentions behind the posts were irrelevant, as the communications and posts were *prima facie* inappropriate. The posts and communications showed a disordered thought process, violated District directives, and used religious imagery and references in a distorted manner that caused fear. The Hearing Officer noted that Mr. Pace has shown no genuine remorse for his conduct. After considering all the evidence presented during the hearing, the Hearing Officer recommended that the State Board suspend Mr. Pace's educator certificate for a period of one year. Due to the nature of the misconduct, the Hearing Officer further recommended that Mr. Pace be required to submit a safe-to-return-to-work letter from a licensed therapist prior to reinstatement.

After considering the full record of the proceeding, the Hearing Officer's Report and Recommendation, as well as Mr. Pace's objections to the Hearing Officer's Report and Recommendation, the State Board finds just cause for the permanent revocation of Mr. Pace's educator certificates, effective August 8, 2023. The State Board believes the underlying unprofessional conduct and the consideration of the health, safety, and welfare of students and staff necessitates this Order of Permanent Revocation. In reviewing the Hearing Officer's Report and Recommendation, the State Board finds particularly compelling that the Lexington County Magistrate's Court granted restraining orders against Mr. Pace following a finding that Mr. Pace committed the act of "Harassment in the 1st or 2nd degree" for "electronic threats." There is no evidence in the record that Mr. Pace is undergoing psychiatric treatment such that the risk of similar conduct in the future is mitigated or eliminated.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (Rev. 2004); S.C. Code Ann. § 59-25-160 (2016). Just cause includes unprofessional conduct. S.C. Code Ann. §

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59-25-160 (2016); 24 S.C. Code Regs. 43-58 (2016). The State Board finds that the evidence presented demonstrates that Mr. Pace engaged in unprofessional conduct by engaging in inappropriate social media posts and communication that was seen as threatening by coworkers. The State Board further finds that just cause exists for the permanent revocation of Mr. Pace's educator certificates.

The State Board finds that the evidence presented by the SCDE supports its determination that just cause exists to permanently revoke education certificates 232991 and 905110, issued in the name of Kenneth M. Pace Jr., effective August 8, 2023. The permanent revocation of Mr. Pace's educator certificates shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

AND IT IS SO ORDERED.

South Carolina State Board of Education

s/Crystal F. Stapleton, Ed.D.

Crystal F. Stapleton, Ed.D., Chair

Columbia, South Carolina

August 8, 2023